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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,391	05/21/2001	James R. Milne	20381-22 (50P4047)	8905

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FITCH EVEN TABIN AND FLANNERY
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SUITE 1600
CHICAGO, IL 60603-3406

EXAMINER

YENKE, BRIAN P

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/862,391

Applicant(s)

MILNE ET AL.

Examiner

BRIAN P. YENKE

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment (15 July 2005).
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 15 July 2005 have been fully considered but they are not persuasive.

Applicant's Arguments

a) Applicant states that Bilbrey does not teach, suggest or contemplate a separate modular design.

b) Applicant states that Bilbrey does not teach or suggest a processing module and presentation module which are separate from and operate independent from each other.

c) Applicant argues that In re Harza involves water-tight masonry structure and is not even remotely similar to the facts underlining the current application

Examiner's Response

a) The examiner notes that the claims currently do not recite any limitations stating as such.

b) The examiner disagrees, given the broadest interpretation of the claimed invention, the A/D block 70 and video controller 22/display 52 are functionally separate and they operate independently since each module/component perform it's own function with the data it is provided, thus it is not dependent upon the other elements to perform it's function.

c) The examiner agrees that In Re Harza concerns water-tight masonry structures per subject matter, however the case precedent was the mere duplication of parts is not novel/patentable unless some unexpected results were derived. The use of In Re Harza is not

Art Unit: 2614

limited to only applications dealing with water-tight masonry structures, if this is what the applicant is suggesting. Nonetheless, the examiner has cited a reference as stated below, supporting the position that multiple power sources are conventional.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 9 and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Bilbrey et al., US 5,227,863.

In considering claims 9 and 11-12,

a) the claimed a processing chassis... is met by A/D block 70 which receives RGB signals via path 68 (Fig 1) and converts the analog signals into a digital/intermediate signal. Regarding the power supply, the circuitry of the A/D 70 which receives the RGB signals via circuits 62,64 and 66 inherently includes power/power source in order to perform it's intended function.

b) the claimed a presentation chassis... is met by video system controller 22/display 52 which receives the digital/intermediate signal from A/D 70 via isolation buffer 72 (Fig 1), where video system controller and display 52 converts the signal into a displayable form.

c) the claimed an interface coupling the processing chassis and the presentation chassis is met by bus line 74 (Fig 1).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-8, 10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bilbrey et al., US 5,227,863 in view of Phillips et al., US 6,072,994.

In considering claims 1-3, 5-8, 10, and 13

Bilbrey does not explicitly recite the use of different power sources for the processing and presentation chassis.

Previously the examiner relied upon In Re Harza---and based upon the applicant's response that it is not obvious to use more than one power supply the examiner has incorporated such a teaching, Phillips et al., US 6,072,994 (col 33, line 33-47) which disclose that separate power supplies can be utilized to isolate the components, thereby reducing noise.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bilbrey which discloses a programmable digital video processing system with Phillips by providing separate power to the components for the noted advantages as stated above.

Claim 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bilbrey et al., US 5,227,863 in view of Phillips et al, US 6,072,994 and Gray et al., US 20020016873.

In considering claim 4,

Bilbrey discloses the reception of PAL and NTSC signals. However, Bilbrey/Phillips does not disclose converting the video signal into a high resolution digital signal. Although, it is noted that the conversion of a signal into a high resolution digital signal is notoriously well known in the art, based upon the type of signal received and type of user display. Thus the examiner takes "OFFICIAL NOTICE" regarding such conversion.

Based upon the traversal the examiner incorporates, US 20020016873, which discloses the conversion of a signal into either NTSC or high resolution digital (para 42)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bilbrey/Phillips which discloses the processing/display of NTSC and PAL video signals, by converting the received signals into a high definition signal as done by Gray, when the user's receiving apparatus can display a high definition image, thus improving the picture quality for the viewer.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure—see newly cited references on attached form PTO-892.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John W. Miller, can be reached at (571)272-7352.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is

Art Unit: 2614

(703)305-HELP.

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800-PTO-9199 or 703-308-HELP

(FAX) 703-305-7786

(TDD) 703-305-7785

An automated message system is available 7 days a week, 24 hours a day providing informational responses to frequently asked questions and the ability to order certain documents. Customer service representatives are available to answer questions, send materials or connect customers with other offices of the USPTO from 8:30 a.m. - 8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

The Patent Electronic Business Center (EBC) allows USPTO customers to retrieve data, check the status of pending actions, and submit information and applications. The tools currently available in the Patent EBC are Patent Application Information Retrieval (PAIR) and the Electronic Filing System (EFS).

PAIR (<http://pair.uspto.gov>) provides customers direct secure access to their own patent application status information, as well as to general patent information publicly available. EFS allows customers to electronically file patent application documents

Art Unit: 2614

securely via the Internet. EFS is a system for submitting new utility patent applications and pre-grant publication submissions in electronic publication-ready form. EFS includes software to help customers prepare submissions in extensible Markup Language (XML) format and to assemble the various parts of the application as an electronic submission package. EFS also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.



B.P.Y

20 September 2005



BRIAN YE
PRIMARY EXAMINER